

OCT 03 2011

PATENT  
ATTORNEY'S DOCKET NO.: NBG-113

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Matteo ZOPPAS et al.  
Serial No.: 10/574,889  
Filed: April 7, 2006  
For: DEVICE AND PROCESS FOR EXTRACTING PLASTIC ITEMS  
Examiner: Emmanuel S. Luk  
Art Unit: 1744  
Confirmation No.: 3357

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CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that the following correspondence is being electronically transmitted to the United States Patent and Trademark Office via the USPTO EFS-Web efilng system on October 3, 2011.

  
Mark D. Lorusso

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Mail Stop: Issue Fee  
Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

This is in reply to the Notice of Abandonment mailed August 25, 2011.

Applicants submit this petition under 37 C.F.R. § 1.181 to withdraw the holding of abandonment for the alleged failure to pay the issue fee. Applicants, through attorney of record, timely filed the issue fee on August 11, 2011. The facts are as follows:

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1. On August 11, 2011, the undersigned attorney of record prepared the issue fee transmittal along with a check endorsed to the Director of the United States Patent & Trademark Office to cover the issue fee due as well as a return post card. (Exhibit A - Declaration of Mark D. Lorusso at ¶ 2).

2. On August 11, 2011 at approximately 1 p.m., the attorney of record personally deposited an envelope with sufficient postage with a branch of the United States Post Office located at Newington, New Hampshire 03802. The envelope contained the signed Issue Fee Transmittal with a properly executed Certificate of Mailing dated August 11, 2011. The check and post card were included in the envelope. (Lorusso Decl. at ¶3; Exhibit B – Copy of Issue Fee Transmittal).

3. The USPTO apparently stamped the post card on August 26, 2011. (Exhibit C-Copy of return post card, as stamped). The return post card was received by the attorney of record on August 31, 2011. (Lorusso Decl. at ¶ 4).

4. The issue fee was apparently processed on August 29, 2011. Counsel of record confirmed the issue fee check had cleared on August 31, 2011 after receiving the return post card. (Lorusso Decl. at ¶ 5).

5. The undersigned counsel of record cannot explain the delay between the deposit of the issue fee with the U.S. Postal Service and the receipt and processing of

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the issue fee by the USPTO on August 25, 2011 and August 29, 2011, respectively.  
(Lorusso Decl. at ¶ 6).

6. It is believed that no fee is due with this petition. Should a fee be due for any reason, the attorney of record respectfully requests a telephone call to address any fee matter.

Respectfully submitted,



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Attorneys for Applicant

Docket No.: NBG-113

Date: October 3, 2011

# EXHIBIT A

OCT 03 2011

PATENT  
ATTORNEY'S DOCKET NO.: NBG-113

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of U.S. Application No. 10/574,889

Title: DEVICE AND PROCESS FOR EXTRACTING PLASTIC ITEMS

Inventor: Matteo ZOPPAS et al.

Filed: April 7, 2006

Examiner: Emmanuel S. Luk

Art Unit: 1744

Confirm. No.: 3357

DECLARATION OF MARK D. LORUSSO

I, Mark D. Lorusso; hereby declare:

1. I am a patent attorney registered with the United States Patent & Trademark Office, Registration Number 41,955. I am the attorney of record for application Ser. No. 10/574,889 (hereinafter the '889 application)
2. During the morning of August 11, 2011, I prepared the Issue Fee Transmittal for the '889 application. I also prepared a check and return post card with proper and adequate postage attached thereto. A copy of the documents with the check copy redacted to obscure account information is submitted herewith as Exhibit B.
3. At approximately 1 p.m. EST, I deposited an envelope containing the Issue Fee Transmittal, check and post card with the United States Post Office at its Newington, New Hampshire, 03802 branch. The envelope was addressed to the Commissioner for Patents, Mail Stop Issue Fee, PO Box 1450, Alexandria, VA 22313-1450. Proper and adequate postage was affixed to the envelope.
4. On August 31, 2011, the return post card was received in my firm's Post Office box. The post card bears the USPTO stamp with the date August 26, 2011. A copy of

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-2-

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the card as stamped is submitted herewith as Exhibit C.

5. After receipt of the post card, again on August 31, 2011, I confirmed with the undersigned's bank that the check sent to cover the issue fee had cleared.

6. The undersigned cannot explain the delay between the deposit of the issue fee with the U.S. Postal Service and the receipt and processing of the issue fee by the USPTO on August 25, 2011 and August 29, 2011, respectively.

I make this declaration with the understanding that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the outcome of this opposition; and further that all statements made are of my own knowledge and are true.

By

  
Mark D. Lorusso  
Attorney of record

Date: October 3, 2011

# EXHIBIT B

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: Mall Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571)-273-2885

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

48388 7590 05/11/2011  
**LORUSSO & ASSOCIATES**  
 PO BOX 21915  
 PORTSMOUTH, NH 03801

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Mark D. Lorusso	(Depositor's name)
	(Signature)
August 11, 2011	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,889	04/07/2006	Matteo Zoppas	NBG-113	3357

TITLE OF INVENTION: DEVICE AND PROCESS FOR EXTRACTING PLASTIC ITEMS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	08/11/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
LUK, EMMANUEL S	1744	264-334000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1 <u>LORUSSO &amp; ASSOCIATES</u>
<input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.		2 _____
<input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.		3 _____

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

S.I.P.A. Societa Industrializzazione Progettazione  
 e Automazione S.p.A.

ITALY

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

**5. Change in Entity Status (from status indicated above)**

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date August 11, 2011

Typed or printed name Mark D. Lorusso

Registration No. 41,955

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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LORUSSO & ASSOCIATES  
PO BOX 21915  
PORTSMOUTH, NH 03802

The "Received" stamp of the Patent Office  
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*Chase Tree Taxe, wif Cont. of mailing dated*  
*8/11/11; check # 622*

Description of paper and No.

Name of applicant *Marko Zeffas et al.*

Int'l. or Serial No. *10/574,829* US6 ~113

Atty: *MDL*

Date: *8/11/11*

No. *10/574,829* MARK O. LORUSSO PA  
LORUSSO & ASSOCIATES  
P.O. BOX 21915 (603) 427-0070  
PORTSMOUTH, NH 03802-1915

DATE *Aug 11 2011* 54-7-114

BY THE  
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THE  
U.S. PATENT & TRADEMARK OFFICE  
*July One thousand eight hundred ten years*

**D** Bankrupt

*MZ*  
FOR *MLC-613*

Redacted

# EXHIBIT C

The "Received" stamp of the Patent Office  
imprinted hereon acknowledges the filing of:  
*Close Free Time w/ Art. of Mailing dated*  
Description of paper and No. *8/11/11; Check # 622*

Name of applicant *matteo Zoppas et al.*

Int'l. or Serial No. 10/574,844 NPG-113

Atty: *mde*

Date: 8/11/16



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